

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re: Delphi Corporation, et al.

) Case No.: 05-44481 (RDD)  
) Chapter 11  
)  
)  
)  
) (Jointly Administered)

**RESPONSE OF HIDRIA USA, INC. TO THE DEBTORS' THIRTEENTH OMNIBUS  
OBJECTION (SUBSTANTIVE) PURSUANT TO 11 U.S.C. § 502(b) AND FED. R.  
BANKR. P. 3007 TO CERTAIN (A) INSUFFICIENTLY DOCUMENTED CLAIMS, (B)  
CLAIMS NOT REFLECTED ON DEBTORS' BOOKS AND RECORDS, (C)  
PROTECTIVE INSURANCE CLAIMS, (D) INSURANCE CLAIMS NOT REFLECTED  
ON DEBTORS' BOOKS AND RECORDS, (E) UNTIMELY CLAIMS AND UNTIMELY  
TAX CLAIMS, AND (F) CLAIMS SUBJECT TO MODIFICATION, TAX CLAIMS  
SUBJECT TO MODIFICATION, AND CLAIMS SUBJECT TO MODIFICATION AND  
RECLAMATION AGREEMENT**

The response of HIDRIA USA, LLC ("Hidria") by its attorneys, Gallivan, White & Boyd, P.A. to the Objection of the Debtors seeking an Order striking Claim No. 3734 of Hidria as not reflected on the Debtors books and records, sets forth as follows:

1. Upon information and belief, Hidria's claim may be against a non-debtor who was affiliated with the debtors in the above-referenced bankruptcy case.<sup>1</sup> However, pursuant to discussions with counsel for the debtors, it is not possible to ascertain whether the claim is against a non-debtor entity or the debtor entities at this time. Therefore, this response to the objection to claim is being filed solely to preserve Hidria's rights in this bankruptcy case.

2. On or about, October 8, 2005, the Debtors in possession of the above-captioned case, filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code.

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<sup>1</sup> Hidria was listed on Schedule F of the Debtors' Schedules as an unsecured creditor and received notice of the commencement of the bankruptcy case. Therefore, Hidria filed a claim in the Debtors' bankruptcy case in the amount of \$30,248.78 representing outstanding invoices to Delphi Sistemas de Energia SA de CV. Upon information and belief, Delphi Sistemas de Energia SA de CV is not one of the Debtors who sought bankruptcy protection. However, Hidria is waiting on a response from Debtors' counsel confirming that the claim was objected to on the basis that it was asserted against a non-debtor entity.

3. Prior to the commencement of the case, Hidria provided services to Delphi Sistemas de Energia SA de CV which covered the period of March 2005 through October 5, 2005. The total amount of goods and/or services which were provided to Delphi Sistemas de Energia SA de CV amounted to \$30,248.78. The undersigned firm was retained by Hidria to pursue collection of the amounts owed on or about February 14, 2006. When it was ascertained that the Debtors were in bankruptcy, a proof of claim was immediately filed with the court. The claim was docketed on February 14, 2006 and designated as Claim No. 3734. On or about April 27, 2007, the undersigned received a copy of Debtors Thirteenth Objection, wherein the Debtors seek, inter alia, to expunge proof of Claim No. 3734 as a claim because it is a “books and records” claim as defined in the Thirteenth Objection.

4. To date, Hidria has not received payment for the services rendered between March 2005 and October 5, 2005.

5. Based on the foregoing, it is respectfully submitted that proof of Claim No. 3734 be allowed.

WHEREFORE, Hidria USA, Inc. respectfully requests that this Court deny the Objection of the Debtors to Expunge Hidria’s claims and grant such other and further relief as this Court may deem just and proper.

/s/ J. Michael Brown  
J. Michael Brown  
(South Carolina District Court No. 9213)  
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